

**TOWN OF TROCHU**  
**BYLAW NO. 2020-14**  
**BOARDS AND COMMITTEES BYLAW**

**A BYLAW OF THE TOWN OF TROCHU IN THE PROVINCE OF ALBERTA TO ESTABLISH THE BOARDS AND COMMITTEES OF COUNCIL.**

**WHEREAS**, pursuant to the *Municipal Government Act*, Statutes of Alberta, 2000, Chapter M-26, as amended or replaced from time to time, provides that a Council may by Bylaw establish standing or special Committees of Council and delegate to such Committees certain duties and powers imposed and conferred upon a Council by the said *Municipal Government Act*;

**AND WHEREAS**, the Council of the Town of Trochu considers it expedient to establish Council Committees to support and facilitate the achievement of the Town of Trochu's Strategic Plan, Vision and Goals, and to advise Council on matters relevant to the Committee mandates.

**NOW THEREFORE THE COUNCIL OF THE TOWN OF TROCHU, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, AND PURSUANT TO THE AUTHORITY CONFERRED UPON IT BY THE *MUNICIPAL GOVERNMENT ACT*, R.S.A. 2000, C. M-26, AS AMENDED, ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This Bylaw may be referred to as the "Boards and Committees Bylaw."

**2. PURPOSE OF BYLAW**

This Bylaw shall govern the establishment and regulation of Council Committees unless a variance is specifically provided for in this Bylaw. Any such variance must be set out in the Committee Terms of Reference.

**3. DEFINITIONS**

3.1 In this Bylaw, unless the context otherwise requires:

- 3.1.1 **"Administrative Representative"** refers to the administration resource person appointed to a Committee by the Chief Administrative Officer;
- 3.1.2 **"Chief Administrative Officer"** means the Chief Administrative Officer (CAO) for the Town of Trochu;
- 3.1.3 **"Committee"** means a Committee established by Council pursuant to this Bylaw, which Committee may consist entirely of Councillors, a combination of Councillors and Members at Large, or entirely of Members at Large;
- 3.1.4 **"Council"** means the Council of the Town of Trochu;
- 3.1.5 **"Councillor"** means a Councillor of the Town of Trochu;
- 3.1.6 **"Ex-officio"** means membership by virtue of one's office;
- 3.1.7 **"Member at Large"** means a member of the public appointed by Council to a Committee pursuant to the Bylaw;
- 3.1.8 **"Mayor"** means the Chief Elected Official of the Town of Trochu;

3.1.9 “Terms of Reference” means those terms pertinent to the establishment and mandate of an individual Committee and which are in addition to or beyond the parameters of this Bylaw;

3.1.10 “Town” means the Town of Trochu

3.1.11 “Voting Member” means those members identified as voting members in a Terms of Reference.

#### **4. ESTABLISHMENT**

4.1 Council does hereby establish those Committees as set out in Terms of Reference attached to and forming part of this Bylaw.

4.2 Each Committee shall be deemed to be a Committee of Council and shall be responsible and accountable only to Council.

#### **5. POWERS/AUTHORITY OF COMMITTEES**

5.1 A Committee shall have the authority to form ad hoc committees and task forces from among its members, to assist it in carrying out its objectives and responsibilities under this Bylaw.

5.2 Ad hoc committees and task forces established by a Committee shall report to the Committee in a manner determined by the Committee.

5.3 A Committee shall not have the power to pledge the credit of the Town, to pass Bylaws, or to enter into any contractual agreements.

5.4 The Committee shall provide a forum for examining timely issues relevant to its mandate by considering topics from the following sources:

5.5.1 receipt of requests or suggestions from Council,

5.5.2 requests or enquiries from the public through the CAO, and

5.5.3 initiated by the Committee.

5.5 The Committee shall prepare letters, recommendations, resolutions, discussion papers and other documents, as appropriate, to Council.

#### **6. REPORTING TO COUNCIL**

6.1 Councillors appointed to a Committee by Council shall be responsible to keep Council informed on Committee activities.

6.2 A Councillor appointed to the Committee shall provide a report to Council at a regular Council meeting on a regular basis.

#### **7. PUBLIC PARTICIPATION**

Community organizations and individuals that wish to appear before or communicate directly with Council on any matter referred to within the Terms of Reference of a Committee shall be encouraged to make representations to that Committee.

#### **8. MEMBERSHIP**

8.1 A council committee may consist entirely of Councillors, of a combination of Councillors and other persons, or subject to the Municipal Government Act s. 154(2), entirely of

persons who are not Councillors.

- 8.2 All members of a Committee shall be resident in the Town of Trochu, unless otherwise provided in the Terms of Reference for that Committee.
- 8.3 Councillors shall be appointed by Council at the organizational meeting.
- 8.4 Members at Large shall be appointed by Council to a Committee effective as of January 1<sup>st</sup> in each year or as otherwise designated by Council.
- 8.5 The Mayor is an Ex-officio member of those Committees that do not name the position of Mayor in their Terms of Reference.
- 8.6 Council may, for any reason it considers sufficient, remove a Member at Large of a Committee by resolution.
- 8.7 All Members at Large shall remain in office until their respective successors are appointed.
- 8.8 Any Member of a Committee who is absent from three (3) consecutive meetings of the Committee shall forfeit his or her office, unless there is a resolution of the Committee accepting a valid reason for his or her absence.
- 8.9 Committee Members shall only speak on behalf of the Committee when formally given such authority by Council or the Committee for a specific defined purpose.
- 8.10 The Committee Members shall adhere to the Procedures Bylaw established by Council in accordance with the Municipal Government Act s. 145(b).
- 8.11 The Committee Members shall adhere to the Council Code Conduct Bylaw established by Council in accordance with the Municipal Government Act s. 146.

## **9. TERM**

- 9.1 Members at Large shall be appointed for a two (2) year Term, unless otherwise provided in the Committee Terms of Reference.
  - 9.1.1 To ensure continuity of membership in newly established Committees, Council shall, at the date of appointment, determine which of the Members at Large will hold office for one (1) year from the date of appointment and which of the Members at Large will hold office for two (2) years from the date of appointment.
  - 9.1.2 In each succeeding year, Council shall appoint for a two (2) year Term enough members to fill the vacancies created by the expiration of the Terms of the Members at Large in that year.
- 9.2 Members at Large whose Terms are expiring may be re-appointed.
- 9.3 Councillors appointed to a Committee shall be appointed for a one (1) year Term to ensure each Councillor is given opportunity to sit on a committee of their choice during the four (4) year term of office, however, Council may, in its discretion, and if there is no interest from another member of Council, appoint a Councillor for an additional consecutive one (1) year Term.

## **10. CHAIRMAN AND VICE-CHAIRMAN**

- 10.1 At its first meeting after the annual Council organizational meeting, a Committee shall elect a Chairman and Vice-Chairman from among its Voting Members.

- 10.2 The Chairman shall hold office for a Term of one (1) year from the date of appointment.
- 10.3 The Chairman shall preside over all the meetings for the Committee.
- 10.4 In the absence of the Chairman, the Vice-Chairman shall preside over meetings and shall exercise all the same powers, duties and responsibilities that the Chairman would be entitled to exercise if present.

#### **11. ADMINISTRATIVE REPRESENTATIVE**

- 11.1 The Chief Administrative Officer shall appoint an Administrative Representative to each Committee.
- 11.2. The chief administrative officer shall ensure that
  - 11.2.1 minutes of each committee meeting are recorded in the English language without note or comment,
  - 11.2.2 include the names of the members present at the committee meeting,
  - 11.2.3 are given to the committee for adoption at a subsequent committee meeting,
  - 11.2.4 all bylaws, minutes of council meetings and other records and documents of the municipality are kept safe, and
  - 11.2.5 the Administrative Representative shall assist the Chairman in ensuring that Committee activities are consistent with, and that agenda items fall within, the Committee's Terms of Reference.
- 11.3 The Administrative Representative shall not be a member of a Committee and may not vote on any matter.
- 11.4 The Chief Administrative Officer, or his/her designate, shall ensure that all Committee members receive an appropriate orientation on the Terms of Reference of the Committee and its role as a Committee established by Council.

#### **12. MEETINGS**

- 12.1 A Committee shall give at least 24 hours notice of a Committee Meeting or a change in the location or time of a Committee Meeting;
  - 12.1.1 to the members of the Committee, and
  - 12.1.2 to the public.
- 12.2 Notice to the public shall be deemed to have been properly given if posted for public viewing on the Town of Trochu website.
- 12.3 A majority of the Voting Members shall constitute a quorum at a Committee meeting.
- 12.4 Notwithstanding s. 12.3, a Committee may act in the absence of a quorum provided all members have received notice as provided in subsections 12.1 and 12.2.
- 12.5 All Voting Members of a Committee, including the Chairman, shall be required to vote on any motion before the Committee and, in the event of a tie, the motion shall be lost.

### **13. TERMS OF REFERENCE**

13.1 The Terms of Reference shall set out as a minimum:

13.1.1 A statement of purpose

13.1.2 Composition of Committee

13.1.3 Duties and Power of the Committee

13.1.4 Roles and Responsibilities

13.1.5 Term

13.1.6 Frequency of Meetings

### **14. GENERAL**

14.1 Committee members shall abide by the Procedural Bylaw enacted by Council.

14.2 Committee members shall abide by the Council Code of Conduct Bylaw enacted by Council.

14.3 The proceedings and deliberations of a Committee must be conducted in public except where the information is protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

### **15. EFFECTIVE DATE**

15.1 All Schedules attached are part of and form part of this Bylaw.


15.2 This Bylaw shall come into full force and effect upon the date of the Third and Final Reading.


Read for a first time on this 28<sup>th</sup> day of September, 2020

Read for the second time on this 28<sup>th</sup> day of September, 2020

Given Unanimous Consent to Proceed to a third reading this 28<sup>th</sup> day of September, 2020

Read for the third time on this 28<sup>th</sup> day of September, 2020

**X**   
\_\_\_\_\_  
Barry Kletke  
Mayor

**X**   
\_\_\_\_\_  
Carl Peterson  
CAO

**Schedule "A"**  
**TOWN OF TROCHU**  
**COUNCIL POLICY AND BYLAW REVIEW COMMITTEE**  
**TERMS OF REFERENCE**

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**I. STATEMENT OF PURPOSE**

To consider, develop and review Town of Trochu Policies and Bylaws, and provide feedback to the Administration and Council of the Town of Trochu.

**II. COMPOSITION OF COMMITTEE**

- All Council Members
- Town of Trochu Chief Administrative Office
- Recording Secretary (Non-Member)

**III. DUTIES AND POWERS**

- Review Policies and Bylaws of the Town of Trochu to ensure that best evidence, as well as the context, philosophy and values of the Town of Trochu are accurately reflected.
- To ensure accountability, authority and responsibility are clearly delineated and consistently applied.
- Obtain feedback from Town of Trochu Administration and Staff through the CAO related to the need for development of new Policies and Bylaws, or the revision of existing Policies and Bylaws.
- With the guidance of Administration, develop new Policies and Bylaws to address emerging needs or existing gaps in policy.

**IV. ROLES AND RESPONSIBILITIES**

- The Committee shall be responsible to review draft Bylaws and Policies, prepared by the CAO and recommend amendments/additions for decision of Council as a whole.
- The CAO shall research, draft and present Bylaws and Policies to the Committee for review.
- The CAO shall present the Bylaws and Policies to Council for decision.

**V. TERM**

The Committee appointment shall be for one (1) year, renewable by Motion of Council at the Organizational Meeting. The Chair and Vice Chair, shall be appointed by the Committee, for a term of one (1) year.

**VI. FREQUENCY OF MEETINGS**

The frequency of meetings shall be at the call of the Chair, or as requested by the CAO through the Chair.